

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52512 of 2015

Arising Out of PS.Case No. -23 Year- 2015 Thana -JADIA District- SUPAUL

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1. Sandeep Yadav @ Sandeep Kumar Yadav @ Sandeep Kumar, son of Bhupendra Yadav.
 2. Rudal Yadav, son of Gyani Yadav
 3. Havendra Yadav, son of Sonay Yadav
- All resident of Village- Manganj Goth, Police Station- Jaddia, District- Supaul.
4. Kunji Lal Yadav, son of Late Bineshwar Yadav, resident of Village- Chatgaon, P.s.-Triveniganj, District- Supaul.

. Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad

For the Opposite Party/s : Mr. Rana Randhir Singh(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 27-11-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Jadia P.S.Case No. 23/2015 registered for offences punishable under Sections 341, 323, 363, 366, and 379 of the Indian Penal Code.

The prosecution case is that on 15.02.2015 the informant and his son, namely, Jaikisun Raj along with Sandeep Kumar and Tahlil Yadav were going from his village Manganj to Khuti. In the way, petitioner forcibly kidnapped Jai Kishun and had taken him to the house of Kunjilal Yadav, Chatgaon for the purpose of

compulsive marriage but his son succeeded to escape. In course of kidnapping his son was assaulted by the accused persons and Rupees 25,000/- was also snatched from him.

It has been submitted by the learned counsel for the petitioners that a false case of kidnapping has been lodged against the petitioners. The fact is that the informant's son namely, Jai Kishun Raj @ Jyotish Kumar was married with Pinki Kumari, who is the Bhagina of petitioner Nos. 2 and 4 and false allegation has been levelled against the petitioner namely, Jai Kishun Raj @ Jyotish Kumar that he was kidnapped for the purpose of compulsive marriage. It has further been stated that the statement of informant's son has not yet been recorded. Furthermore, it has been submitted by the learned counsel for the petitioner that said Pinki Kumari has lodged a complaint Case No. 410-C of 2015 against the informant's son under Sections 493, 498 of the Indian Penal Code, hence the case of kidnapping does not arise.

Be that as it may, let the above named petitioners in the event of their arrest or surrender before the Court below within a period of four weeks from today be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Supaul in connection with Jadia

P.S.Case No. 23 of 2015, subject to the conditions as laid down
under Section 438(2) of the Cr. P. C.



Sudha/-

(Nilu Agrawal, J)

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